

United States District Court

**EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

**FILED-CLERK
U.S. DISTRICT COURT**

2006 OCT 24 PM 4: 17

UNITED STATES OF AMERICA

§

§

V.

§

§

DAVID CARL HARVEY (1)

§

**TEXAS-EASTERN
CASE NO. 4:06cr136
(Judge Schell)**

**ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND
FINDING DEFENDANT GUILTY ON COUNT TWO OF THE INDICTMENT**

On this day, the Court considered the Findings of Fact and Recommendation of United States Magistrate Judge Don D. Bush regarding Defendant's plea of guilty to Count Two of the Indictment in the above-numbered cause. Having conducted a proceeding in the form and manner prescribed by Fed. R. Crim. P. 11, the Magistrate Judge recommends that the Court accept the plea agreement and the guilty plea of the Defendant. The Court is of the opinion that the Findings of Fact and Recommendation should be accepted.

It is accordingly ORDERED that the Findings of Fact and Recommendation of the United States Magistrate Judge are hereby ADOPTED.

It is further ORDERED that, pursuant to Defendant's plea agreement, the Court finds Defendant GUILTY on Count Two of the Indictment in the above-numbered cause.

SIGNED this 24th day of October, 2006.



**RICHARD A. SCHELL
UNITED STATES DISTRICT JUDGE**